

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

DAVID M. WASHINGTON

CIVIL ACTION NO. 19-cv-0550

VERSUS

CHIEF JUDGE HICKS

PRUDENTIAL INSURANCE CO. OF
AMERICA

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

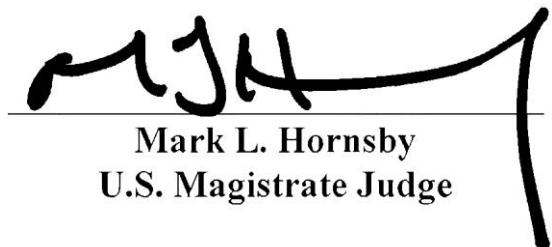
A telephone status conference was held on November 19, 2019. The plaintiff seeks judicial review of his ERISA plan administrator's denial of a claim for long term disability benefits. The administrative record is ordinarily the only information the court may consider when reviewing such a case. It is the plan administrator's obligation to identify the evidence in the administrative record, but the claimant is permitted a reasonable opportunity to contest whether that record is complete. See Vega v. National Life Ins. Services, 188 F.3d 287, 299 (5th Cir. 1999) (en banc); Estate of Bratton v. National Union Fire Ins. Co., 215 F.3d 516, 521 (5th Cir. 2000). This schedule is issued in accordance with those principles.

Counsel for Defendant is directed to deliver a Bates-stamped copy of the relevant plan documents and the entire administrative record to counsel for the plaintiff by **[already completed]**. Counsel for the plaintiff should review the record and promptly advise counsel for the defendant of any contentions that the record is not complete, so that any such issues may be resolved on a timely basis. The parties are directed to file by **April 30, 2020** a joint stipulation of facts setting out any necessary background facts and stipulating

to the submission of the case for decision on the administrative record and plan documents, which are to be submitted along with the stipulation. By **April 30, 2020**, plaintiff shall file a Motion for Decision on Stipulated Record, along with his brief on the merits. The clerk of court will then issue a Notice of Motion Setting that will set the motion on the District Judge's motion calendar. Defendant's brief is due **May 29, 2020**. Plaintiff may file a reply brief by **June 10, 2020**.

Counsel are advised that the Notice of Motion Setting that will be issued by the clerk for the District Judge contains briefing deadlines different than those set herein. However, the briefing deadlines set forth in this order will control.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 19th day of November, 2019.



Mark L. Hornsby
U.S. Magistrate Judge